

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-13, 44-47, 49 and 50 are now present in the application. No claims have been amended in this Reply. Claims 1 and 44 are independent. Reconsideration of this application is respectfully requested.

Claim Rejections Under Obviousness-type Double Patenting

Claims 1-13 and 44-46 provisionally stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 124, 126-128, 131-133 and 228 of co-pending Application No. 12/440,438. Claims 1-13, 44-46, 49 and 50 provisionally stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 and 28 of co-pending Application No. 11/885,486. These rejections are respectfully traversed.

Applicant respectfully submits that the present application was filed prior to the '438 Application and the '486 Application. According to MPEP § 804(I)(B)(1), once the present application is in condition for allowance except for the obviousness-type double patenting rejection, this application should be allowed without the necessity of filing a Terminal Disclaimer. Since there are no other rejections allowance except for the obviousness-type double patenting rejections, this application should be allowed.

Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.


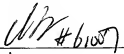
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Cheng-Kang (Greg) Hsu, Registration No. 61,007 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: November 3, 2011

Respectfully submitted,

By   #61007
Paul C. Lewis
Registration No.: 43368
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000

Cheng-Kang Hsu
Reg. No. 61,007